

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

ORAL ARGUMENT STATEMENT (Local Rule 34.1(a))

TO REQUEST ORAL ARGUMENT, FILL OUT THIS FORM AND FILE IT WITH THE CLERK
WITHIN 14 DAYS AFTER THE FILING OF THE LAST APPELLEE BRIEF.
IF THIS FORM IS NOT TIMELY FILED, YOU WILL NOT BE PERMITTED TO ARGUE IN PERSON.

Short Title of Case: Novelis Corp. v. NLRB Docket No.: 16-3076, 16-3570

Name of Party: John Tesoriero, Michael Malone, Richard Farrands, and Andrew Duschen

Status of Party (e.g., appellant, cross-appellee, etc.): Intervenors

Check one of the three options below:

☒

I want oral argument.

☐

I want oral argument only if
at least one other party does.

☐

I do not want oral argument.

An attorney whose preference depends on whether other attorneys will argue should consider conferring before requesting argument. After the appeal has been scheduled for oral argument, a motion by counsel to forgo oral argument, even on consent, may be denied.

If no party wants oral argument, the case will be decided on the basis of the written briefs. If you want oral argument, you must appear in Court on the date set by the Court for oral argument.

The Court may determine to decide a case without oral argument even if the parties request it.

If you want oral argument, state the name of the person who will argue:

Name: Thomas G. Eron

(An attorney must be admitted to practice before the Court in accordance with Local Rule 46.1.)

If you want oral argument, list any dates (including religious holidays), that fall in the interval from 6 to 20 weeks after the due date of this form, that the person who will argue is not available to appear in Court:

June 6, 7 & 8, 2017; August 4 & 7, 2017

ANYONE WHO WANTS TO ARGUE MUST UPDATE THE COURT IN WRITING OF ANY CHANGE IN AVAILABILITY. THE COURT MAY CONSIDER A FAILURE TO UPDATE ABOUT AVAILABILITY WHEN DECIDING A MOTION TO POSTPONE A SET ARGUMENT DATE.

Filed by:

Print Name: Thomas G. Eron Date: 04/27/2017

Signature: /s/Thomas G. Eron

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

NOVELIS CORPORATION,

Petitioner/Cross-
Respondent

JOHN TESORIERO, MICHAEL MALONE, RICHARD
FARRANDS, AND ANDREW DUSCHEN,

Case No. 16-3076
Case No. 16-3570

Intervenors,

v.

NATIONAL LABOR RELATIONS,

Respondent/Cross-
Petitioner, and

UNITED STEEL, PAPER AND FORESTRY, RUBBER,
MANUFACTURING, ENERGY,
ALLIED INDUSTRIAL & SERVICE WORKERS
INTERNATIONAL UNION, AFL-CIO, CLC,

Intervenor.

EMPLOYEE INTERVENORS' CERTIFICATE OF SERVICE

I, Thomas G. Eron, Esq., do hereby certify that on April 27, 2017 an electronic copy of John Tesoriero, Michael Malone, Richard Farrands, and Andrew Duschen's (collectively, "Intervenors") Oral Argument Statement was filed with the Clerk of the Court via the CM/ECF system. I certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system:

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(*Amici Curiae Chamber of Commerce and Coalition for Democratic Workplace*)

Dated: April 27, 2017
Syracuse, New York

By: /s/ Thomas G. Eron
Thomas G. Eron, Esq.

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